WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1957

ENROLLED

HOUSE BILL No. 36

(By Mr. Nathan W. Halloran)

PASSED March 5, 1957

In Effect ________________________ Passage
ENROLLED

House Bill No. 361
(By Miss Hallanan and Mr. Myles)

[Passed March 5, 1937; in effect from passage.]

AN ACT to amend and reenact sections one and two, article one, and section two, article two, all of chapter fifty-two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to persons liable to serve as jurors, persons exempt and persons disqualified from serving on juries; and preparation of grand jury list, qualifications of grand jurors, preparation of ballots, and custody of such lists and ballots.

Be it enacted by the Legislature of West Virginia:

That sections one and two, article one, and section two, article two, all of chapter fifty-two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:


Section 1. Persons Liable to Service.—All persons, who
are twenty-one years of age and not over sixty-five, and
who are citizens of this state, shall be liable to serve as
jurors, except as hereinafter provided.

Sec. 2. **Exemptions and Disqualifications.**—The judge
of any court may, in his discretion, exempt or excuse any
person from jury service when it appears that such service
would be improper or work an undue hardship. The fol-
lowing persons shall be disqualified from serving on
juries: Idiots, lunatics, paupers, vagabonds, habitual
drunkards, and persons convicted of infamous crimes.

**Article 2. Grand Juries.**

Section 2. **Preparation of Jury List; Qualifications of
Jurors; Ballots; Custody of List and Ballots.**—The jury
commissioners appointed under the provisions of section
three of article one of this chapter shall select and draw
persons for grand juries. Such commissioners shall, at
the levy term of the county court each year, and at any
other time when required by the court which appointed
them, or the judge thereof in vacation, prepare a list of
not less than one hundred nor more than two hundred
qualified persons of their county for grand jury service,
chosen from the respective magisterial districts thereof,
as nearly as may be in proportion to the population of the
districts. The lists so prepared shall be submitted to the
clerk of the court authorized to impanel a grand jury, or
the judge thereof when required, and the name of any
person who is not qualified shall be stricken from the list
by the clerk or judge. The persons so listed shall be of
good moral character, who have never been convicted of
a felony or of any scandalous offense; and shall have been
bona fide citizens of the state and county for at least one
year immediately preceding the preparation of the list,
and shall not be office holders under the laws of the United
States or of this state. At the time such jury list is made
up, the jury commissioners shall cause all the names
thereon to be written, each on a separate ballot, and shall
fold, roll or prepare the same so as to resemble each other
as nearly as may be, and so that the name written thereon
shall not be visible on the outside, and shall inclose the
ballots for each magisterial district in a separate envelope
indorsed with the name of the magisterial district and the
number of ballots inclosed, and shall deposit all the ballots,
with the list, in a secure box to be prepared for the purpose, which shall be delivered to and safely kept by the clerk of the circuit court, and shall be known as the “grand jury box” and shall be opened only by the jury commissioners or by order of the judge of the court having control thereof.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker, House of Delegates

The within approved this the 14th day of March 1957.

Governor

Filed in the Office of the Secretary of State of West Virginia MAR 14 1957

D. Pitt O'Brien
SECRETARY OF STATE